

TOWN BOARD MEETING

00077

Town Hall

12/22/69

8:00 PM

Present: Councilmen Brenner, Damiani, Frohling, Supervisor Mundt
Town Attorney Donald S. Tracy
Town Clerk Anne E. O'Connor

Supervisor Mundt called Town Board meeting to order.

(1930) Councilman Brenner offered the following resolution:

RESOLVED, that time for receiving bids for the furnishing of two New 5 Cubic Yard Body Type Sand, Salt and Stone Spreaders be closed, and be it

FURTHER RESOLVED, that any and all bids received up to and including this time be opened.

Seconded by Councilman Frohling.

All voted Aye.

The following bids were received:

H. O. PENN MACHINERY CO.
Poughkeepsie, New York.....\$6,120.00

TRIUS, INC.,
369 Duffy Avenue, Hicksville, New York.....\$5,688.00

JOHN J. KING
Monroe, New York.....\$5,130.00

(1031) Councilman Brenner offered the following resolution:

RESOLVED, based upon the recommendation of the Highway Superintendent, that the bid for two New Cubic Yard Body Type Sand, Salt & Stone Spreaders be awarded to TRIUS, INC., 369 Duffy Avenue, Hicksville, New York at cost to town of \$5,688.00; low bidder not having met specifications set down by the Highway Department.

Seconded by Councilman Frohling.

All voted Aye.

(1032) Councilman Brenner offered the following resolution:

RESOLVED, that time for receiving bids for the furnishing of Three New Four Cubic Yard Two Wheel Drive Dump Trucks be closed, and be it

FURTHER RESOLVED, that any and all bids received up to and including this time be opened,

Seconded by Councilman Frohling.

All voted Aye.

The following bids were received:

DRISCOLL CHEVROLET
Route 59, Spring Valley N Y.....\$17,880.00

PORRY'S GARAGE
West Haverstraw, N Y.....\$18,300.00

FAULKNER FORD
Route 9W, Nyack N Y.....\$20,999.39

(1033) Councilman Brenner offered the following resolution:

RESOLVED, based upon the recommendation of the Highway Superintendent, that bid for furnishing Three (3) New Four Cubic Yard Two Wheel Drive Dump Trucks be awarded to DRISCOLL CHEVROLET, Route 59, Spring Valley N Y, lowest bidder, at cost to town of \$17,880.00.

Seconded by Councilman Frohling.

All voted Aye.

(1034) Councilman Brenner offered the following resolution:

RESOLVED that Bond R solution amended 5/19/68; and further amended 12/22/69 for Sewer District No. 20 - From \$1,550,000. to \$1,695,000. and Authorizing issuance of \$1,695,000 in Serial Bonds to Finance Same, is hereby adopted. (See file)

Seconded by Councilman Frohling.

All voted Aye.

(1035) Councilman Brenner offered the following resolution:

RESOLVED, that the Town Clerk be authorized to publish the above-mentioned Bond Resolution.

Seconded by Councilman Frohling.

All voted Aye.

(1036) Councilman Damiani offered the following resolution:

RESOLVED, that the amount of \$370.00 be drawn on Drainage Project No. 5 Account, said amount to be made payable to Joseph J. Schweizer Co., Landscape Contractor and Designer, 1 Eldor Avenue, New City N Y, for correcting drainage problem in rear of home of Mrs. Neri, 12 May Place Nanuet N Y.

Seconded by Councilman Frohling.

On roll call the vote was as follows:

AYES: Councilmen Damiani, Frohling, Supervisor Mundt.

NOES: Councilman Brenner.

Proposed resolution re surplus building located at 18-22 Maple Avenue, New City N Y-- Tabled. Councilman Bolander (who has resolution) not present; will return after first of year.

(1037) Councilman Frohling offered the following resolution:

WHEREAS, John C. Tonelli has executed and submitted a proposed deed of easement to the Town of Clarkstown, which easement is to relocate an easement presently held by the Town of Clarkstown, recorded in Liber 756 Cp 455; and

WHEREAS, the Town of Clarkstown has indicated its willingness to release and cancel the said easement presently held by it, recorded in Liber 756 Cp 455, in consideration of the grant of the proposed easement in substitution thereof;

NOW THEREFORE, be it

RESOLVED

1. That the easement offered by John C. Tonelli in substitution of the easement in Liber 756 Cp 455 is hereby accepted, and

2. That the Supervisor of the Town of Clarkstown is hereby authorized and directed to join in the execution of the deed of easement offered by Tonelli in substitution of the easement in Liber 656 Cp 455, thereby granting, releasing and quit-claiming all its right, title and interest of, in and to the easement set forth in Liber 746 Cp 455.

Seconded by Councilman Damiani.

All voted Aye.

(1038) Councilman Frohling offered the following resolution:

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled as follows:

GERALD CATALDO & DOLORES CATALDO, Plaintiffs,
-against-
TOWN OF CLARKSTOWN, DEFENDANT;

NOW THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said action/

Seconded by Councilman Damiani.

All voted Aye.

(1039) Councilman Brenner offered the following resolution:

WHEREAS, the Town desires to enter into an easement agreement for sewerage purposes in connection with Sewer District No. 26 on property of Edward F. and Rita G. Kelly located in New City NY;

NOW THEREFORE, be it

RESOLVED, that the Town of Clarkstown accept said easement from Edward F. and Rita G. Kelly covering premises located in New City, New York, more particularly described in said easement dated the 9th day of October 1969.

Seconded by Councilman Frohling.

All voted Aye.

(1040) Councilman Damiani offered the following resolution:

WHEREAS, Stephen Doig, Jr., Town Justice, has requested additional temporary help;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the temporary appointment (12/22/69 to 1/2/70) of ROBERT J. CUMMINGS, 3 Jean Lane, New City N Y to the position of Office Worker-Student - Town Justice Office, at a salary of \$1.60 per hour, effective 12/22/69.

Seconded by Councilman Frohling.

All voted Aye.

(1041) Councilman Damiani offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certificate of Eligibles Stenographer CR-2 69-38;

NOW THEREFORE, be it

RESOLVED, that the Supervisor be authorized to execute the necessary Civil Service form for the second provisional appointment, pending examination, of JEAN DUFF, 17 Homestead Lane, New City N Y to the position of Stenographer-Recreation Department, at a salary of \$4,098.00 per annum, effective 12 23/69.

Seconded by Councilman Frohling.

All voted Aye.

(1042) Councilman Brenner offered the following resolution:

WHEREAS, certain office furniture in the Supervisor's Office has become worn and its replacement is appropriate at this time;

NOW THEREFORE, be it

RESOLVED, that the desk, chair, and couch in the Supervisor's Office be appraised, and the Supervisor is hereby authorized to sell the same for its appraised value.

Seconded by Councilman Damiani.

All voted Aye.

(1043) Councilman Frohling offered the following resolution:

WHEREAS, a Bond Resolution has been passed by the Town Board of the Town of Clarkstown authorizing the sum of \$1,695,000 for Sewer District No. 20 and

WHEREAS, a temporary transfer of \$13,721.77 is required to Sewer District No. 20 to meet current bills, and

WHEREAS, said sum is presently available in Money in Lieu of Land Account;

NOW THEREFORE, be it

RESOLVED, that the sum of \$13,721.77 be transferred from Money In Lieu of Land Account to Sewer District No. 20 Account, pursuant to the provisions of Section 165-10 of the Local Finance Law, and be it

FURTHER RESOLVED, that accurate records be kept of said diversion of funds so that repayment may be made to Money in Lieu of Land Account upon the sale of the bonds for Sewer District No. 20.

Seconded by Councilman Damiani.

All voted Aye.

(1044) Councilman Frohling offered the following resolution:

WHEREAS, Article V, Rule 2, Section 2.1 (c) of the contract between the Town of Clarkstown and the CSEA authorized the Town Board to grant additional days off with pay,

NOW THEREFORE, be it

RESOLVED, that this Board does hereby declare that Friday, 12/26/69, shall be granted as a holiday to all town employees.

Seconded by Councilman Brenner.

All voted Aye.

(1045) Councilman Damiani offered the following resolution:

RESOLVED, that decision on zone change application made by BAROG ASSOCIATES (R22 to PO for property located on the east side of Mountainview Avenue, Central Nyack, New York, be RESERVED.

Seconded by Councilman Brenner.

All voted Aye.

(1046) Councilman Frohling offered the following resolution:

RESOLVED, that decision on zone change application made by J. KNUTSEN AND COMPANY, INC. (R40 to R22) for property located on the north side of Demarest Mill Road, Bardonia, New York, be RESERVED.

Seconded by Councilman Brenner.

All voted Aye.

(1047) Councilman Brenner offered the following resolution:

RESOLVED, that decision on zone change application made by J. KNUTSEN AND COMPANY, INC. (R40 to R22) for property located on the east side of Goebel Road, New City, N Y be RESERVED.

Seconded by Councilman Damiani.

All voted Aye.

(1048) Councilman Damiani offered the following resolution:

RESOLVED, that decision on proposed Amendment to the Building Zone Ordinance -- Correction from R80 to R40 on property located on the west side of Little Tor Road and South of South Mountain Road, New City New York, be RESERVED.

Seconded by Councilman Brenner.

All voted Aye.

(1049) Councilman Damiani offered the following resolution:

WHEREAS, sewer rolls have been prepared for the various operating sewer districts in order to levy taxes for the operation and maintenance in said districts, and

WHEREAS, rates have been computed for the unit charges in said districts;

NOW THEREFORE, be it

RESOLVED, that the attached rates are adopted for said sewer districts:

1970 TAX RATE
SEWER DISTRICTS
OPERATING

<u>SEWER DISTRICT - OPERATING ONLY</u>	<u>RATE PER UNIT</u>
1	\$ 18.10
2	None
3	10.00
4 (Nanuet Park)	35.00
B-4 (Silver Birch)	11.00
5	72.00
6	60.00
7	9.00
8	26.54
9	26.37
11	None
12	36.63
13	None
15	44.00
25	44.00
29	None
30	15.34
31	None

Seconded by Councilman Frohling.

All voted Aye.

(1050) Councilman Frohling offered the following resolution:

WHEREAS, rolls have been prepared for the capital charges on certain sewer districts within the Town of Clarkstown, and

WHEREAS, rates have been computed for the capital charges in said districts;

NOW THEREFORE, be it

RESOLVED, that the attached schedule of rates are adopted for the capital charges in said districts.

(continued)

1970 TAX RATE
SEWER DISTRICTS
OPERATING & CAPITAL

<u>SEWER DISTRICT</u>	<u>PER \$100. ASSESSED VALUATION</u>	<u>PER FRONT FOOT</u>	<u>PER UNIT</u>
8-4			\$100.12
8-6	.6711	.1503	18.3769
8-7	.5708	.1403	17.4205
10	.4526	.2563	11.1508
16	.6473	.1784	18.2282
17	.4488	.1406	8.8269
18	.8190	.1839	24.2073
19	.7328	.1923	17.3981
20	1.1976	.1857	24.3594
21	.6363	.1556	9.9376
22	.8167	.1800	21.0326
23	.5636	.2365	17.5250
24	.2134	.2524	11.4523
24-1	1.0647	.3254	34.6606
26	1.0856	.2335	27.2398
27	.7755	.1673	18.6023
28	.9143	.2023	25.0509

Seconded by Councilman Damiani.

All voted Aye.

(1051) Councilman Brenner offered the following resolution:

RESOLVED, that Bond Resolution adopted and amended appropriating \$1,500,000 for the construction of Sewer District No. 27 and Authorizing issuance of Serial Bonds, is hereby adopted. (Bond resolution in files.)

Seconded by Councilman Damiani.

All voted Aye.

(1052) Councilman Frohling offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to publish foregoing Bond Resolution.

Seconded by Councilman Damiani.

All voted Aye.

(1053) Councilman Brenner offered the following resolution:

WHEREAS, the following has applied to the Town of Clarkstown for Certificate of Registration in compliance with S.c. 4-6 of the Code of the Town of Clarkstown:

Bibeau Construction Co., Inc.
274 Hiermont Ave.
Hillsdale, N.J/

Peter J. Mayer
160 N. Main St.
New City N Y

Cadet Plumbing & Heating Corp.
3 Langries Drive
Monsey, New York

Sewerage Disposal Systems, Inc.
3301 Barnes Ave.
Bronx, New York

Frank A. McDonald
Kings Highway
Sparkill, New York

Rober5 Watkins
19 Parker Avenue
New City N Y

NOW THEREFORE, be it

(continued)

(1053 - continued)

RESOLVED, that the following Certificates of Registration be issued:

70-28 to Bibeau Construction Co., Inc.
70-37 to Cadet Plumbing & Heating Corp.
70-38 to Frank A. McDonald
70-39 to Robert Watkins
70-40 to Peter J. Mayer
70-41 to Sewerage Disposal Systems, Inc.

Seconded by Councilman Damiani

All voted Aye.

Letter received from the Department of Transportation re town's request for an extension of the 40MPH speed limit on Route 304 from Bardonia to Cavalry Drive. Based on their investigation, they state that extension is not warranted. Supervisor Mundt will call Mr. Sinacori re same; he stated that Supervisor elect Vines has been informed.

Town Board signed the following Performance Bonds, approving same as to form and sufficiency:

Republic Insurance Co. Bond #904414
WOODLAND ESTATES-SEC, II
Amount: \$6,020.00
Period: 2 years - 11/3/69 - 11/2/71
Covers: Sanitary Sewers

Republic Insurance Co. Bond #904413
WOODLAND ESTATES-SEC. II
Amount: \$47,640.00
Period: 2 years - 11/3/69 - 11/2/71
Covers: Roads

Monthly Report for the month of November 1969 received from the Police Department. Noted by the Town Board; ordered filed in the Town Clerk's Office.

Councilman Damiani requested that the Recreation Commission and the Planning Board present their recommendations in connection with parcel of land adjacent to park on Kings Highway. Town Clerk will contact Chairman of the above-mentioned Boards, requesting that they forward their recommendations to the Town Board by the 29th.

(1054) Councilman Brenner offered the following resolution:

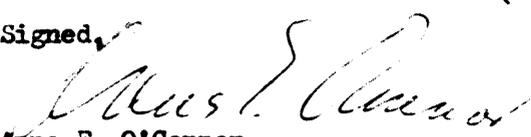
RESOLVED, that the Town Attorney be authorized to commence condemnation proceedings against Dr. Beretsky; Town Engineer and Highway Superintendent to immediately proceed with corrective work to alleviate drainage condition existing on premises owned by Lowry, Hillside, Drive., New City.

Seconded by Councilman Damiani.

All voted Aye.

On resolution offered by Councilman Damiani, seconded by Councilman Brenner and unanimously adopted, Town Board meeting was adjourned until 8:00 PM on 12/29/69.

Signed,


Anne E. O'Connor
Town Clerk